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**IN THE UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**PORTLAND DIVISION**

WEST HILLS DEVELOPMENT COMPANY dba  
ARBOR CUSTOM HOMES, an Oregon corporation;  
ARBOR ROSES, LLC, an Oregon limited liability  
company,


Plaintiffs,

v.

MARYLAND CASUALTY COMPANY, a  
Maryland company; NORTHERN INSURANCE  
COMPANY OF NEW YORK, a New York  
company; LEXINGTON INSURANCE COMPANY,  
a Massachusetts company; FIRST MERCURY  
INSURANCE COMPANY, an Illinois company;  
CLARENDON NATIONAL INSURANCE  
COMPANY, a New York company; AMERICAN  
HALLMARK INSURANCE COMPANY, a Texas  
company; NATIONAL FIRE & MARINE  
INSURANCE COMPANY, a Nebraska company;  
AMERICAN FAMILY INSURANCE COMPANY,  
a Wisconsin company; CONTINENTAL WESTERN  
INSURANCE COMPANY, an Iowa company;  
OREGON AUTOMOBILE INSURANCE  
COMPANY, a Massachusetts company; TRUCK  
INSURANCE EXCHANGE, a California company;  
WEST AMERICAN INSURANCE COMPANY, a  
Massachusetts company; CANAL INSURANCE  
COMPANY; a South Carolina company,

Defendants.

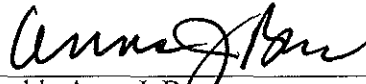
NO. 3:17-cv-01088-BR

  
[PROPOSED] ORDER GRANTING  
DEFENDANT LEXINGTON  
INSURANCE COMPANY'S  
MOTION TO WITHDRAW  
NOTICE OF REMOVAL AND  
REMAND (28 USC § 1447(C))

Plaintiffs initially brought this claim in state court. The defendant Lexington Insurance Company filed a Notice of Removal on the grounds of diversity jurisdiction, but then based on new information regarding the state of domicile for one of the defendants, sought to withdraw its Notice of Removal and Remand this action back to state court.

IT IS HEREBY ORDERED that Lexington Insurance Company's Motion to Withdraw Notice of Removal and Remand is granted. This action is remanded to the Washington County Circuit Court.

DATED this 21<sup>st</sup> day of July, 2017.



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The Honorable Anna J. Brown

Presented by:

Gordon & Rees LLP

By/s/ Donald J. Verfurth  
Donald J. Verfurth, OSB No. 066480  
Attorneys for Defendant Lexington Insurance Company